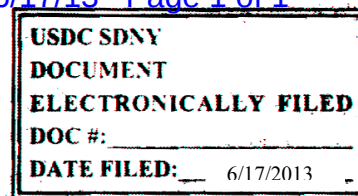


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
Bishop Frank BEST,

Plaintiff,

12-CV-07874 (RJS)(SN)

-against-

**OPINION AND ORDER**

A.C.S., et al.,

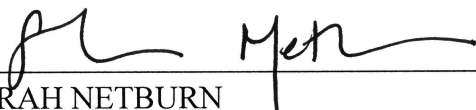
Defendants.

-----X  
SARAH NETBURN, United States Magistrate Judge:

By letter dated March 21, 2013, *pro se* plaintiff Bishop Frank Best moved the Court to grant his request for *pro bono* counsel. By order dated March 25, 2013, the Court denied that request. By application dated June 14, 2013, Best again requests appointment of *pro bono* counsel. For the reasons discussed below, the motion is denied without prejudice.

As discussed in the March 25 Order, a request for *pro bono* counsel should not be granted unless it is plain that the *pro se* litigant's case is "likely to be of substance." Cooper v. A. Sargenti Co., 877 F.2d 170, 172 (2d Cir. 1989). The Court previously denied Best's application "without prejudice and leave to renew after the Court has ruled on defendants' anticipated motion to dismiss" because it could not yet assess the merits of Best's case. That motion is still being briefed. And Best has not provided any additional information that would alter the Court's decision. Accordingly, the Court again denies Best's application without prejudice. The Clerk of Court is directed to terminate the motion pending at Docket No. 76.

**SO ORDERED.**

  
\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

DATED: New York, New York  
June 17, 2013

cc: Bishop Frank Best  
131-19 Farmers Blvd  
Queens, NY 11434